

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Michelle R Bowers**  
Debtor(s)

Bankruptcy Case No.: 16-24005-CMB  
Issued Per June 8, 2017 Proceeding  
Chapter: 13  
Docket No.: 61 – 42, 58  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated March 1, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☒ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Ally Bank at Claim No. 2 as a long term debt .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: June 15, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Michelle R Bowers  
 Debtor

Case No. 16-24005-CMB  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel  
 Form ID: 149

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 Total Noticed: 42

Date Rcvd: Jun 15, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 17, 2017.

db	+Michelle R Bowers, 214 Willow Run Dr., Butler, PA 16001-1262
cr	+Peoples TWP LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
14312390	+Allegent Community Fcu, 1001 Liberty Ave, Ste #100, Pittsburgh, PA 15222-3715
14336999	+Allegent Community Federal Credit Union, 2000 Corporate Drive, Suite 2500, Wexford, PA 15090-7611
14312391	+Allegent Credit Union, 1001 Liberty Ave., Pittsburgh, PA 15222-3726
14312393	#+Bank Of America, Nc4-105-03-14, Po Box 26012, Greensboro, NC 27420-6012
14387587	+Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
14312394	+Belden Jewelers/Sterling Jewelers, Inc, Attn: Bankruptcy, Po Box 1799, Akron, OH 44309-1799
14312395	+Berkheimer Tax, PO Box 25153, Lehigh Valley, PA 18002-5153
14312396	+Butler Memorial Hospital, 1 Hospital Way, Butler, PA 16001-4697
14312397	+Capl/polrs, Capital One Retail Services, Po Box 30285, Salt Lake City, UT 84130-0285
14312398	+Capital One, Po Box 30285, Salt Lake City, UT 84130-0285
14312399	+Capital One Retail Services, PO Box 71106, Charlotte, NC 28272-1106
14367531	+Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14400437	+Cavalry Spv I, LLC, Bass & Associates, P.C., 3936 E. Ft. Lowell Road, Suite #200, Tucson, AZ 85712-1083
14312400	+Chase Card Services, Attn: Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298
14312401	+Citibank / Sears, Citicorp Credit Services/Attn: Centraliz, Po Box 790040, Saint Louis, MO 63179-0040
14312402	+Citibank/The Home Depot, Citicorp Cr Srvs/Centralized Bankruptcy, Po Box 790040, S Louis, MO 63179-0040
14345101	+Deere & Company d/b/a John Deere Financial, PO Box 6600, Johnston IA 50131-6600
14312403	+Dept Of Ed/Navient, Attn: Claims Dept, Po Box 9400, Wilkes Barr, PA 18773-9400
14312405	+Harley Davidson Credit, Dept. 15129, Palatine, IL 60055-0001
14328541	+Harley-Davidson Credit Corp., PO Box 9013, Addison, Texas 75001-9013
14312407	+John Deere Financial, PO Box 6600, Johnston, IA 50131-6600
14377236	+MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
14365572	+Navient Solutions, Inc. on behalf of, Department of Education Loan Services, PO BOX 9635, Wilkes-Barre, PA 18773-9635
14325397	+PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14312409	+Subaru Motors, PO Box 901037, Fort Worth, TX 76101-2037
14312413	+Wells Fargo, PO Box 14411, Des Moines, IA 50306-3411
14336563	+Wells Fargo Bank, N.A., Default Document Processing, MAC # N9286-01Y, 1000 Blue Gentian Road, Eagan MN 55121-7700

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr	+E-mail/Text: kbarkley@bernsteinlaw.com Jun 16 2017 01:01:24 John Deere Financial, c/o Bernstein-Barkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1908
14328063	E-mail/Text: ally@ebn.phinsolutions.com Jun 16 2017 01:00:41 Ally Bank, PO Box 130424, Roseville MN 55113-0004
14312392	+E-mail/Text: ally@ebn.phinsolutions.com Jun 16 2017 01:00:41 Ally Financial, Po Box 380901, Bloomington, MN 55438-0901
14356667	+E-mail/Text: bankruptcy@cavps.com Jun 16 2017 01:01:17 Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340
14318440	E-mail/Text: mrdiscen@discover.com Jun 16 2017 01:00:41 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
14312404	+E-mail/Text: mrdiscen@discover.com Jun 16 2017 01:00:41 Discover Financial, Po Box 3025, New Albany, OH 43054-3025
14312406	E-mail/Text: cio.bncmail@irs.gov Jun 16 2017 01:00:46 IRS, PO BOX 7346, Philadelphia, PA 19101-7346
14330360	E-mail/Text: bk.notifications@jpmchase.com Jun 16 2017 01:00:51 JPMorgan Chase Bank, N.A., National Bankruptcy Department, P.O. Box 29505 AZ1-1191, Phoenix, AZ 85038-9505
14312408	+E-mail/Text: bnckohlsnotices@becket-lee.com Jun 16 2017 01:00:44 Kohls/Capital One, Po Box 3120, Milwaukee, WI 53201-3120
14398489	E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jun 16 2017 01:15:43 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14312410	+E-mail/PDF: gecsed@recoverycorp.com Jun 16 2017 00:57:39 Synch/levin Furniture, Po Box 965064, Orlando, FL 32896-5064
14312411	+E-mail/PDF: gecsed@recoverycorp.com Jun 16 2017 00:57:23 Synchrony Bank/Lowes, Po Box 965064, Orlando, FL 32896-5064
14312412	+E-mail/PDF: gecsed@recoverycorp.com Jun 16 2017 00:57:23 Synchrony Bank/Sams, Po Box 965060, Orlando, FL 32896-5060

TOTAL: 13

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Harley-Davidson Credit Corp  
 cr JPMORGAN CHASE BANK, N.A.  
 cr Wells Fargo Bank, NA

District/off: 0315-2

User: jhel  
Form ID: 149

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Total Noticed: 42

Date Rcvd: Jun 15, 2017

cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 3, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 17, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 15, 2017 at the address(es) listed below:

Daniel R. Schimizzi on behalf of Creditor John Deere Financial dschimizzi@bernsteinlaw.com,  
cwirick@bernsteinlaw.com/pghecf@bernsteinlaw.com/dschimizzi@ecf.courtdrive.com/cwirick@ecf.court  
rive.com  
James Warmbrodt on behalf of Creditor JPMORGAN CHASE BANK, N.A. bkgroup@kmlawgroup.com  
James Warmbrodt on behalf of Creditor Harley-Davidson Credit Corp bkgroup@kmlawgroup.com  
Jerome B. Blank on behalf of Creditor Wells Fargo Bank, NA pawb@fedphe.com  
Joseph J. Nash on behalf of Debtor Michelle R Bowers attorneynash@nashlawoffice.net  
Mario J. Hanyon on behalf of Creditor Wells Fargo Bank, NA pawb@fedphe.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com  
S. James Wallace on behalf of Creditor Peoples TWP LLC sjw@sjwpggh.com,  
srk@sjwpggh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 9